

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

EMMERIL WILCOXSON,

Plaintiff,

v.

THE CITY OF RALEIGH; RALEIGH  
POLICE DEPARTMENT; DIANA  
PAINTER, individually and in her official  
capacity; CHARLES MATTHEWS, II,  
individually and in his official capacity;  
PHILLIP D. MATTHEWS, individually  
and in his official capacity; and HARRY  
DOLAN, individually and in his official  
capacity,

Defendants.

**JUDGMENT**

No. 5:13-CV-732-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge.

**IT IS ORDERED, ADJUDGED AND DECREED**, in accordance with the court's orders entered August 8, 2014 and March 3, 2016, and for the reasons set forth more specifically therein, that:

- (1) The motion to dismiss filed by defendants The City of Raleigh and Raleigh Police Department, and the motion to dismiss of defendant Harry Dolan in his individual capacity are granted.
- (2) The motions for summary judgment made pursuant to Federal Rule of Civil Procedure 56, by defendants Diana Painter and Phillip D. Matthews are granted.

**This Judgment Filed and Entered on March 3, 2016, and Copies To:**

Shawn C. Cabot (via CM/ECF Electronic Notice of Filing)  
Gregory M. Kash (via CM/ECF Electronic Notice of Filing)  
Hunt K. Choi (via CM/ECF Electronic Notice of Filing)  
Patricia L. Holland (via CM/ECF Electronic Notice of Filing)  
Paul Holsher (via CM/ECF Electronic Notice of Filing)

Rodney E. Pettey (via CM/ECF Electronic Notice of Filing)  
Cathleen M. Plaut (via CM/ECF Electronic Notice of Filing)

This the 3<sup>rd</sup> day of March, 2016.

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk